

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KEITH TYRONE TROXLER,                    )  
  )  
                          Petitioner,        )  
  )  
                  v.                                )       1:14CV592  
  )  
BRIAN WELLS,                                )  
  )  
                          Respondent.        )

**ORDER**

On August 12, 2015, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636.

Petitioner filed objections (Doc. 12) to the Recommendation within the time limit prescribed by Section 636. The court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 10), which is affirmed and adopted.

IT IS THEREFORE ORDERED that Respondent's Motion for Summary Judgment (Doc. 4) is GRANTED, the Petition (Doc. 1) is DENIED, and this action is DISMISSED WITH PREJUDICE.

Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is DENIED.

/s/ Thomas D. Schroeder  
United States District Judge

September 14, 2015